REPRESENTATIONS—(*concluded*).

No. 15.—Reduction of upset price for coffee lands from Rs. 40 to Rs. 10.

Messrs. B. K. Somegowda, Manjarabad Taluk; H. Basappa, Arsikere Taluk and B. Dyavappagowda, Belur Taluk.

MR. B. DYAVAPPAGOWDA observed that, on comparing the applications for *darkhasts* received since the upset price was raised to Rs. 40 per acre with those received before the enhancement was made, it would be found that very few *darkhasts* were now being received. That showed that there was no impetus to the growth of coffee cultivation in the State. He therefore prayed that the upset price on assessed coffee waste lands west of the Hemavathi river might be reduced from Rs. 40 to Rs. 10 per acre.

MR. BAGAMANE DEVA GOWDA pointed out that although the upset price had recently been reduced to Rs. 20 per acre, yet it was very difficult to get suitable lands for coffee cultivation, especially in Manjarabad Taluk. He therefore requested that the upset price might be reduced to Rs. 10, at least in the case of lands situated in the Manjarabad Taluk.

DHARMAPRAVARTHA MR. M. L. NAGAPPA SETTY said that already coffee cultivation was not in a flourishing condition and that many coffee planters had been reduced to a deplorable condition. While that was the position, if the upset price was also fixed at such a high figure as Rs. 40 per acre, it would not help even smaller raiyats to take up such lands. Moreover, the available land suitable for cultivation of coffee was itself very little and there would be no impetus to these smaller raiyats to apply for any of them on account of the high upset price.

Referring to the discretion given to the Deputy Commissioners to reduce the upset price to Rs. 20 in any particular case, he said that, when such an order was passed, the condition of the raiyats had been much better than what it is at present. As the conditions had now changed for the worse, he thought that a reduction of the upset price as prayed for in the representation was quite necessary. He did not think also that Government would lose anything if this was done.

MR. B. DYAVAPPAGOWDA said that more applications for *darkhasts* would come up if the upset price was reduced. Although the Deputy Commissioner had been given the discretion referred to by the previous speaker, yet the minimum itself was not lowered. The result was that, while Government did not get much by way of upset price, people

could not apply for *darkhasts*. He therefore wanted that the upset price should be reduced to Rs. 10.

THE FIRST MEMBER OF COUNCIL replied that Government could not do anything in the matter until the result of the working of the recent order reducing the upset price to Rs. 20 was known. He also promised to consult local officers in the matter.

At this stage, the Assembly adjourned for lunch and re-assembled at 3-30 p.m.

No. 16.—Levy of dry rates on lands under tanks not getting adequate supply of water.

Mr. Sanikam Krishniah, Chitaldrug Taluk.

Speaking on behalf of the mover, MR. MAHOMED IMAM represented that though there were plenty of tanks in the Chitaldrug and Tumkur Districts, they never filled except perhaps once in every 10 years, owing to insufficiency of rainfall. The result was that they could not raise wet crops even though the lands were assessed as wet. Owing to their ignorance, the raiyats did not know when to apply for remissions. Even when they applied in time, as a rule, they did not get any relief. He therefore prayed that, where the tanks did not receive adequate supply of water, only dry assessment should be levied from the lands under them.

MR. H. KRISHNAMURTHI ACHAR said that, while the tanks in the Chitaldrug District did not fill once in 10 years, those in the Kolar District did not fill even once in 20 years. He therefore prayed that only dry assessment should be collected from the wet lands in his district also.

MR. MALKAPPA said that a general order should be issued stating that only dry assessment should be collected under breached tanks also.

THE FIRST MEMBER OF COUNCIL said that this was not possible under the Mysore Land Revenue system. The condition of the tank was judged at the time of settlement and definite assessment would be fixed, and it was not possible to change it during the currency of the settlement. If the tank was silted up, the only remedy was to remove the silt. If the tank was breached, the raiyats could claim remission under the rules; and, if there was no chance of the tank filling, the matter could be investigated and dry rates levied instead of wet.

MR. T. SIDDALINGIAH said that he knew of a case where a tank had not received water for the past 20 years and still, in spite of representations, the authorities were reluctant to levy dry rates. He prayed that Government might issue a

circular that, in such cases, the wet assessment might be converted into dry.

THE FIRST MEMBER OF COUNCIL replied that it could not be done.

MR. CHANNAVEERAPPA suggested that, if wet crop could not be grown in a wet land for a period of 10 years, then such a land should be re-classified as dry.

THE FIRST MEMBER OF COUNCIL said that, if particular cases of hardship were brought to notice, necessary relief could be afforded.

No. 17.—Abolition of Irrigation Cess in respect of lands irrigated by rain water.

Messrs. Mir Mahomed Saheb and Settara Siddappa, Tarikere Taluk and V. R. Mudveeriah, Tarikere Municipality.

MR. MIR MAHOMED SAHEB prayed that irrigation cess in respect of lands mainly irrigated by rain water be removed.

MR. BAGAMANE DEVA GOWDA pointed out that, particularly in the malnad where Government provided no irrigation facilities, there was no reason why an irrigation cess should be levied. The common complaint in the Malnad was that crops were being destroyed by excessive rain and when there was any need for irrigation, Government did not go to the help of the raiyats. In this view, he thought that there was no justification for levying a cess in cases where no manner of obligation was discharged to the raiyats by the Government.

This view was also supported by several members.

THE FIRST MEMBER OF COUNCIL pointed out that this question had been discussed very often in the Assembly and a final reply had also been given by Government. He did not think that there was much use in re-opening it.

No. 18.—Abolition of the Irrigation Cess on certain dry lands cultivated with garden crops by well water.

Mr. M. C. Chikka Ramiah, Nelamangala Taluk.

MR. CHIKKA RAMIAH represented that owners of dry lands had sunk wells in several places at their own cost in their lands and were raising garden crops thereon. These lands were assessed at *bagayet* rate during re-survey. Irrigation cess at one anna in the rupee was also being recovered in addition, subsequent to re-survey. As there was no justification for the payment of this additional cess without using tank water, he prayed that the same might be abolished.

MESSRS. CHENNAMARE GOWDA, VEERE GOWDA and HANUME GOWDA also supported the representation.

THE FIRST MEMBER OF COUNCIL replied that there was a Government Order issued in 1897 which stated that, if wells were sunk on dry lands and garden crops raised thereon and if the water supply was not from the Government tank, then irrigation cess should not be collected from such lands. If there were any cases contrary to this order, the aggrieved party could approach the Revenue Commissioner and obtain redress.

No. 19.—Permitting the *khatedar* to make use of the *kharab katte* in his survey number in cases where wet and dry crops thereon were withering for want of water.

Mr. Dodde Gowda, Gubbi Taluk.

MR. DODDE GOWDA represented that the old *kharab kattes* on the *hiduvali* survey numbers were deteriorating for want of proper care and repairs. He therefore prayed that the *hiduvalidar* of the survey number concerned might be permitted to repair and restore the *katte* at his own cost so that the water of the *katte* might be made use for drinking purposes for men and cattle, and that, in times of water scarcity, he might also be enabled to make use of the water to save his withering crops. If the latter concession was granted, it would give the *hiduvalidar* an impetus to keep the *katte* in good order.

THE FIRST MEMBER OF COUNCIL pointed out that it was not possible to say that the *kattes* belonged to the *khatedar*, and that such questions could be decided more easily at the time of the *jamabandi*. The raiyats could also take special cases of hardship to the notice of the Deputy Commissioner.

No. 20.—*Khetwar.*

Mr. Puttasami Gowda, Malvalli Taluk.

MR. PUTTASAMI GOWDA complained that, in the *khates* given to land-holders as receipts, names were being entered disrespectfully as "Thimma," "Bomma," etc., without the prefix "Mr." He prayed that the names of *khatedars* and their fathers should be couched in respectful terms and the form also got modified so as to admit of the caste being noted therein.

THE FIRST MEMBER OF COUNCIL said that whatever name was given by the *khatedar* would be entered and that the Revenue Officer was not responsible for the name being entered in a particular manner. He however, assured the Assembly that Government would not countenance any

tendency on the part of their officers to show disrespect to anybody.

MR. GURUSAMIGOWDA and many others represented that it was the Shanbhogue who made the entries in the *khates*. Similarly, in preparing the Voters' List also, the names were not indicated in the proper dignified form.

MR. H. C. DASAPPA suggested that either the name might be written with the prefix "Mr." or with the suffix "Avaru."

MR. M. S. LINGE GOWDA pointed out that a Government Order had also been issued on this subject during the Dewanship of Sir M. Visvesvaraya.

THE FIRST MEMBER OF COUNCIL replied that necessary instructions would be issued enforcing that order. He also added that no useful purpose would be served by entering the caste in the *khate*.

No. 21.—Grant of *khetwar* extracts and *kulwar pattis* to Patels. Mr. C. Subbanna Naik, Koppa Taluk.

MR. C. SUBBANNA NAIK prayed that Patels might be supplied with *khetwar* extracts and *kulwar pattis* which would help them in collecting revenue and in giving receipts to tax-payers. In doing so, he pointed out that, at present, the *khetwar* register was kept with the Shanbhogue, and the Patel found it difficult to obtain it from him unless the latter was friendly to him. In the absence of the *khetwar* register, the Patel would not be familiar with the sub-divisions of lands and the assessment on each *hissa*. Whenever there was difference of opinion between the Patel and the Shanbhogue about the exact amount of assessment, the raiyats had to approach the Amildar and thus much time was lost in correspondence. Unless the Patel was given the *kulwar patti* it was impossible for him to collect the assessment from each *hissadar*. The result would be the accumulation of arrears.

THE FIRST MEMBER OF COUNCIL pointed out that the *kulwar pattis* were not available in the Taluk Office but only with the Shanbhogues who could not be compelled to give them to the Patel. The *khetwar* extracts also might not be quite useful unless the changes made from time to time were incorporated in all the copies, which was not quite feasible. Besides, the *khetwar* did not contain all the information necessary for the collection of assessment. He was of opinion that these defects could be removed only with the introduction of the Record of Rights Scheme in all the districts in the State.

MR. SUBBANNA NAIK again represented that, under the rules, both the Patel and the Shanbhogue had to attend to the collection work. The Shanbhogue being placed in charge of several hoblies was far away from the Patel. The receipt books supplied to the Patels contained only the *hiduvalidar's* name but not the survey number of his *khate*. When the *khatedar* asked for the survey number, the Patel had to refer him to the Shanbhogue who was not easily accessible. So he thought it necessary to furnish the Patel with the *khetwar*. If this was done, he would not insist on the *kulwar pattis* being furnished to the Patel, though even that was desirable.

THE FIRST MEMBER OF COUNCIL replied that it was no use discussing obvious things and that the existing state of affairs could not be improved till the Record of Rights work was completed. He did not believe that the *khetwar* extract would help the Patel very much, since, during a particular year, ten people might have paid the assessment according to the *khirdi*, and the very next year, the *khatedar* himself might pay the entire assessment.

MR. S. VENKATASAMI GOWDA thought that the inconvenience felt by the Patel was not so very great as it was represented to be. The *khetwar* extract would be required only at the time of the collection and it was unnecessary for the Patel to keep it with him at other times. It was only after the partition of the property that the *hissadars* demanded separate receipts and his own experience had been that generally no great inconvenience was being experienced on that score.

MR. VEERASANJEEVA GOWDA said that it was not practicable to adopt the suggestion contained in the representation and that most of the Patels were familiar with the particulars pertaining to every land.

MR. CHANNAMARE GOWDA said that, if the survey number was not entered in the receipt, the money might not be paid and the revenue would fall into arrears. If the *khetwar* was furnished to the Patel, all the troubles would go and the assessment could be collected easily. It would also help the writing of the *pahani*. He therefore thought that, even if the *kulwar patti* was not supplied, at least the *khetwar* must be given.

MR. K. M. KRISHNAPPA GOWDA explained that one copy of the *khetwar* was in the Taluk Office and another was kept with the Shanbhogue. As soon as any change was effected, intimation was being sent to the Shanbhogue. But it would be difficult to communicate it every time to the Patel also.

But the Shanbhogues should be required to supply the Patels with information about the *hissadars*, because when he received money from the *shikmedar*, he must mention his name.

THE REVENUE COMMISSIONER said that the department was not in a position to know who the *shikmedar* was and that, as far as possible, the Shanbhogue was furnishing the information in the *avarji*. Things would be set right only after the introduction of the Record of Rights.

THE DEWAN added that the matter would, however, be inquired into.

No. 22.—Extension of Malnad Raiyats' Special Privilege Rules to the Kan-holders.

Messrs. G. Channappa Setty, Sagar Taluk, and V. V. Iyer, Shimoga Taluk.

Mr. G. CHANNAPPA SETTY prayed that the kan-holders be permitted to fell timber in their kans for their own use under the Malnad Raiyats' Special Privilege Rules and that the Forest Department should not fell timber in such kans as is being done now.

THE FIRST MEMBER OF COUNCIL said that the question of the people's rights and privileges in kans had been discussed by the Assembly on former occasions and the privileges that could be enjoyed by the kan-holders were settled long ago and that it was not possible to increase the existing privileges.

MR. T. S. VENKAPPA pointed out that though the raiyats were allowed the privilege of removing dead wood and green leaves from their kans, they could not avail themselves of it; because the authorities of the Forest Department were cutting away the trees before they fully grew up.

THE FIRST MEMBER OF COUNCIL emphasized that Government had full rights over them and that it was not possible to change the rules.

MESSRS. TUDKI RAMANNA GOWDA and B. GOPALACHAR represented that what they wanted was that the kan-holders should be allowed to fell trees and make use of the timber for their own *bona fide* use. After all, it was the kan-holder that looked after those trees and saw that they did not die. The raiyats did not get any concession from the District Forests and as such he requested for a small concession to be shown in the kans.

THE FIRST MEMBER OF COUNCIL said that the kans were all Government property subject only to certain concessions given to the raiyats.

No. 23.—Extension of the Malnad Raiyats' Special Privilege Rules to the *khatedars* residing in the towns.

Mr. Tudki Ramanna Gowda, Thirthahalli Taluk.

MR. TUDKI RAMANNA GOWDA prayed that the *khatedars* living in the municipalities having no District Forests be permitted to get fuel and timber under the Malnad Raiyats' Special Privilege Rules from other forests, wherever they were available. He said that Government had shown this concession in the case of some municipalities like Hosanagar.

THE FIRST MEMBER OF COUNCIL said that it would not be possible to give fresh privileges in this behalf and that the concession asked for could not be extended to people residing in urban areas. These were concessions granted in olden days and could not be further increased.

No. 24.—Extension of the Malnad Raiyats' Special Privilege Rules to the raiyats paying land assessment of more than Rs. 25 also.

Messrs. Holeyappa, and D. Basappa Gowda, Sorab Taluk; G. Channappa Setty, Sagar Taluk; B. Gopalachar, H. Srinivasa Naik, Thirthahalli Taluk; and G. Basappa Gowda, Nagar Taluk.

MR. D. BASAPPA prayed that the Malnad Raiyats' Special Privilege Rules now applicable to the raiyats paying a land revenue of Rs. 25 and below be extended to those paying more as was the case in previous years.

THE FIRST MEMBER OF COUNCIL explained that certain privileges were being given to the raiyats in the malnad. Latterly, with a view to afford greater relief to the poorer raiyats some extra concession, *e.g.*, levy of half the rates for the supply of fuel, etc., was shown to those paying an assessment of Rs. 25 and less. If there were any cases in which the rules were not followed, he said that they might be brought to the notice of the Chief Conservator of Forests.

No. 25.—Improving the economic condition of the Malnad raiyats.

Mr. C. Subbanna Naik, Koppa Taluk.

MR. C. SUBBANNA NAIK represented that Government should take necessary steps for removing the difficulties and improving the economic condition of the malnad raiyats by such means as the establishment of trading syndicates, reduction in garden and coffee assessment, sinking of more drinking water wells, opening of new dispensaries and giving liberal grants to Village Panchayets.

THE FIRST MEMBER OF COUNCIL explained that a committee had been appointed by Government to go into the question and that its report might be awaited.

No. 26.—Salaries to Thotis and Talaris.
Mr. Malkappa, Jagalur Taluk.

In the absence of the mover, MR. MAHOMED IMAM represented that *miras* was not being paid to Thotis and Talaris regularly by the agriculturists and that in some cases the latter had to collect the *miras* by taking legal steps against them. He therefore prayed that, with a view to avoid these inconveniences, the Thotis and Talaris might be paid monthly salaries by Government.

THE FIRST MEMBER OF COUNCIL said that the question of converting the *miras* into salary would involve heavy additional expenditure and it would form a charge on the land revenue itself. He therefore said that it was not a practicable idea, though desirable.

MR. L. VEMA REDDY explained that the *miras* payable to the Thotis and Talaris was fixed in consideration of certain services to be rendered by them to the raiyats. But of late they had come to forget those duties and believed that their duty ended with helping the village officers in the collection of land revenue. He thought it necessary to compel them to discharge their duties to the raiyats before they could claim the *miras*.

DEWAN'S CONCLUDING REMARKS.

Before closing the Session, the DEWAN made the following remarks:—

This has been a strenuous session lasting for full eight days. I do not wish to tire you by any lengthy remarks. I shall make only a brief reference to the more important work done during the session.

We had heavy legislative business to transact, and dealt with the general principles of as many as ten Bills.

There is great need for improving the means of communication in rural areas and the amendment of the District Boards Regulation in respect of railway cess is calculated to help the Boards in giving greater attention to the construction and maintenance of roads in their jurisdictions. The Sale of Goods Bill, the principles of which were approved by the Assembly, is an important piece of legislation. The simple rules embodied in the Contract Act do not meet the requirements of modern business. The bill proposed is intended to keep the law abreast of developments in trade and business and to bring it into harmony with that

prevailing in British India and thus secure All-India uniformity in this branch of commercial legislation. We have now only one regulation for the administration of City, Town, and Minor Municipalities and this arrangement has been found to be unsatisfactory. It is now proposed to have three separate regulations for dealing with these different classes of municipalities. The consideration of the general principles of these three measures engaged the attention of the Assembly for over three days. The proposed provisions are calculated to remove the defects noticed in the working of the existing law and to improve the administration of municipalities in many respects. The principles of these measures were accepted by the Assembly except in respect of a few points. One important provision made in the Minor Municipalities Bill deserves to be specially mentioned and I refer to the introduction of adult suffrage, which met with the unanimous approval of the House.

There were three adjournment motions. They were all allowed and discussed and the views of Government in regard to matters represented were placed before the Assembly.

We had a large number of Representations to consider, but it was possible to find time for the discussion of only some of them. We, however, made better progress in the consideration of Resolutions as more than a fourth of the number tabled were discussed.

The First and Second Members of Council and myself wish to thank you for the help and co-operation you have given us in the conduct of the business of this Session. I now wish you all good-bye and declare this session closed.

On behalf of the members of the Assembly MR. N. G. SANJEEVIAH thanked the Dewan and his colleagues for giving a patient hearing to the views and representations of the members and for the sympathetic replies given to them. He also requested the Dewan to convey to His Highness the Maharaja the sentiments of loyalty and devotion of the members of the Assembly.

With three cheers to His Highness the Maharaja, called by Mr. Mahomed Sait, the proceedings of the session came to a close.

C. SUBRAHMANYA AIYAR,
EX-OFFICIO *Secretary*,
Representative Assembly.

BANGALORE,
7th December 1931.